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[Proposed] Attorneys for Debtor-in-Possession
WAUKEEN MCCOY

UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

In re:

WAUKEEN MCCOY,

Debtor-in-Possession,

Case No.: 14-30381-HLB

Chapter 11

**APPLICATION FOR ORDER
AUTHORIZING EMPLOYMENT OF
COUNSEL FOR DEBTOR IN
POSSESSION (AMENDED)**

[NO HEARING REQUESTED]

Date: ---

Time: ---

Place: U.S. Bankruptcy Court
235 Pine Street, 19th Floor
San Francisco, CA 94104

Ctrm: 23

HON. HANNAH BLUMENSTIEL

To the United States Bankruptcy Court, the Honorable Judge Blumenstiel, the
Office of the United States Trustee and other parties in interest:

Debtor and Debtor in Possession Waukeen McCoy, (hereinafter "Applicant"), applies to
the Court for an order authorizing it to employ, generally, SAGARIA LAW P.C. ("Sagaria
Law"), as attorneys in this Chapter 11 case.

APPLICATION FOR ORDER AUTHORIZING EMPLOYMENT OF COUNSEL FOR DEBTORS IN
POSSESSION

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2 1. On March 12, 2014, Applicant filed the petition herein under Chapter 13 of the
3 Bankruptcy Code.

4 2. On April 9, 2014 Sagaria Law substituted into the case.

5 3. On April 18, 2014 Applicant filed a motion to convert Chapter 13 case to a Case under
6 Chapter 11 of the Bankruptcy Code. On June 6, 2014, the court ordered this case converted to a
7 case under Chapter 11 of the Bankruptcy Code. Applicant is the debtor-in-possession with all
8 powers and rights of a trustee pursuant to 11 U.S.C. §1107.

9 4. Applicant has signed a Chapter 11 Retainer Agreement with Sagaria Law, Applicant
10 wishes to employ Sagaria Law as its attorneys under 11 U.S.C. §327.

11 5. Applicant wishes to employ said attorneys for the reason that Sagaria Law has
12 considerable experience in matters of this character, and believes that this firm is well suited to
13 represent their interests.

14 6. The professional services to be rendered include:

- 15 a. to give Applicant legal advice with respect to their powers and duties as debtor
16 and debtor in possession in the continued operation of their business and
17 management of the estate;
- 18 b. to take necessary action to avoid liens against Applicant's property obtained by
19 attachment by any creditors within ninety (90) days before filing of said petition
20 under Chapter 11;
- 21 c. to represent Applicant as debtors in possession in connection with reclamation
22 proceedings if instituted in this court by creditors;
- 23 d. to prepare on behalf of Applicant as debtor in possession, the necessary
24 applications, answers, orders, reports and other legal papers;
- 25 e. to perform all other legal services for Applicant as debtor and debtors-in-
26 possession which may be necessary herein; and it is necessary for debtor as
27 debtor-in-possession to employ an attorney for such professional services.
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APPLICATION FOR ORDER AUTHORIZING EMPLOYMENT OF COUNSEL FOR DEBTOR IN
POSSESSION

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1 7. Pursuant to the Declaration of Patrick Calhoun, which is being filed concurrently
 2 herewith, and the action to be taken by Sagaria Law, Applicant believes Sagaria Law does not
 3 now hold nor represent interests adverse to that of the debtor or the debtor's estate and that each
 4 attorney at Sagaria Law is a disinterested person within the definition provided by 11 U.S.C.
 5 §101(13).

6 8. Applicant is informed regarding the terms of the employment of Sagaria Law, and that
 7 attorneys and other personnel within the firm will undertake this representation at their standard
 8 hourly rates. The individuals presently designated to represent the debtors in possession and their
 9 hourly rates are:

10 Scott Sagaria	\$400.00 per hour
11 Patrick Calhoun	\$400.00 per hour
12 Joe Angelo	\$295.00 per hour
13 Scott Johnson	\$295.00 per hour
14 Elliot Gale	\$295.00 per hour
15 Paraprofessionals	\$150.00 per hour

16 9. These hourly rates are subject to periodic adjustments to reflect economic and other
 17 conditions, and with respect to those below the level of senior partner, to reflect their increased
 18 experience and expertise in this area of law. The attorneys will make periodic applications for
 19 interim compensation, and if, at the completion of the case results merit it, the attorneys may
 20 make application to the court for allowance of a premium above their designated hourly rates.
 21 Applicant also understands that the billing rates and the time billed are each subject to
 22 Bankruptcy Court review and approval.

23 10. Applicant paid **fifteen thousand dollars (\$15,000.00)** as a deposit against fees and costs
 24 incurred during the immediate pendency of this Chapter 11 case, which included a \$932.00
 25 conversion fee from chapter 13 to chapter 11.

26 11. Any post petition compensation shall be paid to Sagaria Law only with court approval
 27 after notice and a hearing.
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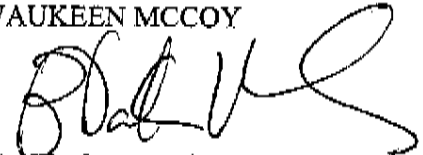
1 12. Sagaria Law represents that it has no interest adverse to debtor-in-possession or the estate
2 in the matters upon which it is to be engaged for the debtor-in-possession, and its employment
3 would be in the best interests of this estate.

4 13. Sagaria Law represents that it has no connection with any creditor or other party in
5 interest and any proposed accountants that ay be used.

6 **WHEREFORE** Applicant respectfully requests that it be authorized to employ Sagaria
7 Law, gencrally as its attorney, effective as of April 15, 2014, the date on which Sagaria Law was
8 paid the remaining balance of the pre-conversion retainer.

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10 Respectfully Submitted,

11 WAUKEEN MCCOY



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14 Dated: July 28, 2014

15 By: /s/ Waukeen McCoy
16 WAUKEEN MCCOY
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